

Application of: Colin Cook et al.
Serial No.: 10/792,284
Filed: 3/4/2004
Reply to Office Action of October 26, 2007

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussions, is respectfully requested.

Claims 1-5 are currently pending in the application. Claims 6-16 have been canceled, and claims 1, 4 and 5 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not introduce any new matter. Support for the changes can be found in paragraphs [0038] and [0029].

In the outstanding Office Action, the drawings were objected to as not including all of the features of the claims; claims 6-8 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite; and claims 1-16 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Publication No. 2002/0038334 (hereinafter “the ‘334 publication”) in view of U.S. Patent No. 6,313,822 (hereinafter “the ‘822 patent”).

In response to the objection to the drawings; claim 1 has been amended herewith, and claims 6-16 have been canceled, thereby rendering moot that objection. The office action cited two features (i.e., a plurality of boards [sic; borders] of a screen” and “a PLL adjustment cycle”) that were requested to be added to the drawings. Neither of those features are found in the pending claims. Thus, it is respectfully requested that that objection be withdrawn.

With respect to the rejection of claims 6-8 under 35 U.S.C. § 112, second paragraph as being indefinite, those claims have been canceled thereby rendering moot that ground for rejection.

With respect to the rejection of claims 1-16 under 35 U.S.C. § 103(a) as unpatentable over the ‘334 publication in view of the ‘822 patent, it is respectfully submitted that the changes to claim 1 render moot this rejection. Claim 1 recites “identifying whether the adjusted screen border is near an expected location; and if no black border is found close to the expected border location, discarding the adjusted screen border and loading a predetermined set of values for the

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screen border instead.” Such a limitation is not rendered obvious by the combination of references. As disclosed in the last paragraph of col. 9:

a video conference control application or similar interface program in the computer 210 cause[s] the video driver ... of monitor 220 to display a border consisting of a number of pixels of a specified color at the boundary of the screen of monitor 220 for identifying the active video region of the computer video signal. The requirement for the computer 210 to generate known video content comes from the fact that the VFA 318 requires non-black video content at the borders to measure parameters such as front and back porch.

(Emphasis added). Moreover, the first paragraph of col. 10 discloses:

the video conference control application commands the video driver to place a blue border of eight pixels around the screen of monitor 220, prior to the measurement of vertical resolution by VFA 318. ... Additionally, it is to be appreciated that instead of the automatic extinguishing of the blue border, if desired, the appearance of the blue border on the screen of monitor 220 may be eliminated through known video technique such as chroma-keying.

These sections show that the ‘822 patent does not contemplate discarding the adjusted screen border and loading a predetermined set of values for the screen border “if no black border is found close to the expected border location.” The fact that the ‘822 patent had to add a colored border or use chroma-keying in order to detect the beginning of the screen shows that one would have to change the principle of operation of the ‘822 patent in order to meet the “discarding” limitation which instead detects the black border itself. Requiring a change in the principle of operation is an indication of non-obviousness. See MPEP 2143.01.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome and the pending claims

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are in condition for allowance. An early and favorable action to that effect is respectfully requested.

CHARGE STATEMENT: Deposit Account No. 501860, order no. 2540-0702.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/ Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

CUSTOMER NUMBER

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Respectfully submitted,

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